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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10 **WESTERN DIVISION**

11 ARCHIE PERDUE,
12 Plaintiff,

13 v.

14 EVERTH BERCIAN,
15 Defendants,
16

No. EDCV 08-1266-ODW (AGR)

ORDER ADOPTING MAGISTRATE
JUDGE'S REPORT AND
RECOMMENDATION

17 Pursuant 28 U.S.C. § 636, the Court has reviewed the entire file de novo,
18 including the magistrate judge's Report and Recommendation. The Court agrees
19 with the recommendation of the magistrate judge.

20 IT IS ORDERED that Judgment be entered dismissing this action without
21 prejudice for failure to prosecute.

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23 DATED: August 28, 2009

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25 _____
26 OTIS D. WRIGHT II
27 UNITED STATES DISTRICT JUDGE
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